

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:19-00067

TRISTAN MONROE BALDWIN

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On October 30, 2023, the United States of America appeared by Lesley Shamblin, Assistant United States Attorney, and the defendant, Tristan Monroe Baldwin, appeared in person and by his counsel, Lex A. Coleman, Assistant Federal Public Defender, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Mark Ruscello. The defendant commenced a twenty-two (22) month term of supervised release in this action on October 7, 2022, as more fully set forth in the Judgment in a Criminal Case Order entered by the court on October 10, 2019, and the Supervised Release Judgment Order entered on January 24, 2022.

The court heard the admissions of the defendant and the representations and arguments of counsel.

Pursuant to the court's findings of fact and conclusions of law as enumerated in open court on the record of this proceeding, which are ORDERED incorporated herein by reference, the court finds by a preponderance of the evidence that the defendant has violated the conditions of his supervised release as follows: (1) on August 13, 2023, the defendant submitted a urine screen that tested positive for cannabinoids, amphetamine, and methamphetamine, and the defendant admitted smoking methamphetamine sixteen times between July 10, 2023, and August 11, 2023, and he admitted smoking marijuana on August 8, 2023; (2) the defendant was instructed by the Probation Officer on October 12, 2022, to attend random urine screenings at a rate of twice monthly, and the defendant failed to attend random urine screenings on April 25, 2023, July 31, 2023, and, August 8, 2023; and (3) the defendant was instructed by the Probation Officer on October 12, 2022, to attend individual substance abuse counseling sessions at the Court's contract treatment provider, and the defendant failed to attend an individual counseling session on August 10, 2023; all as set forth in the petition on supervised release, and all as admitted by the

defendant, and by the court's findings on the record of the hearing.

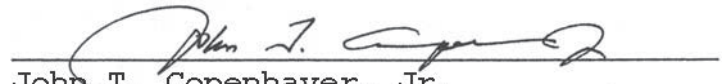
And the court finding, as more fully set forth on the record of the hearing, that the violations found as set forth above warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32.1(b)(2) and (c)(1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for a period of EIGHT (8) MONTHS imprisonment, with no further term of supervised release imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: October 31, 2023



John T. Copenhaver, Jr.
Senior United States District Judge